

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below at 201 et seq. underneath my name.

I believe I am the original, first and sole inventor if only one name is listed at 201 below, or an original, first and joint inventor if plural names are listed at 201 et seq. below, of the subject matter which is claimed and for which a patent is sought on the invention entitled

NOVEL MEGAKARYOCYTIC PROTEIN TYROSINE KINASES

the specification of which:

☐ is attached hereto

☒ was filed in the United States on April 22, 1994 as Application Serial No. 08/232,545
with amendment(s) filed on _____ (if applicable)

☐ was filed as PCT international application Serial No. _____ on _____ and was amended under PCT
Article 19 on _____ (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119/§172 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

| EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED PRIOR TO THE FILING DATE OF THE APPLICATION | | | |
|--|---------|--------------------------------------|--|
| APPLICATION NUMBER | COUNTRY | DATE OF FILING (day, month, year) | PRIORITY CLAIMED UNDER 35 U.S.C. 119/172 |
| | | | YES <input type="checkbox"/> NO <input type="checkbox"/> |
| | | | YES <input type="checkbox"/> NO <input type="checkbox"/> |
| | | | YES <input type="checkbox"/> NO <input type="checkbox"/> |
| | | | YES <input type="checkbox"/> NO <input type="checkbox"/> |

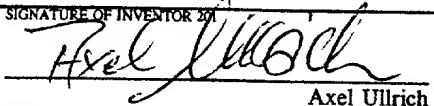
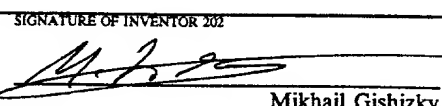
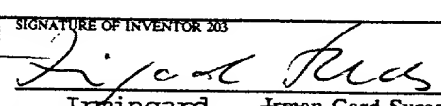
I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| APPLICATION SERIAL NO. | FILING DATE | STATUS | | |
|------------------------|-------------|----------|---------|-----------|
| | | PATENTED | PENDING | ABANDONED |
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POWER OF ATTORNEY: As a named inventor, I hereby appoint S. Leslie Misrock (Reg. No. 18872), Harry C. Jones, III (Reg. No. 20280), Berj A. Terzian (Reg. No. 20060), Gerald J. Flintoft (Reg. No. 20823), David Weild, III (Reg. No. 21094), Jonathan A. Marshall (Reg. No. 24614), Barry D. Rein (Reg. No. 22411), Stanton T. Lawrence, III (Reg. No. 25736), Isaac Jarkovsky (Reg. No. 22713), Joseph V. Colaanni (Reg. No. 20019), Charles E. McKenney (Reg. No. 22795), Philip T. Shannon (Reg. No. 24278), Francis E. Morris (Reg. No. 24615), Charles E. Miller (Reg. No. 24576), Gidon D. Stern (Reg. No. 27469), John J. Lauter, Jr. (Reg. No. 27814), Brian M. Poissant (Reg. No. 28462), Brian D. Coggio (Reg. No. 27624), Rory J. Radding (Reg. No. 28749), Stephen J. Harbulak (Reg. No. 29166), Donald J. Goodell (Reg. No. 19766), James N. Palik (Reg. No. 25510), Thomas E. Friebe (Reg. No. 29258), Laura A. Coruzzi (Reg. No. 30742), Jennifer Gordon (Reg. No. 30753), Jon R. Stark (Reg. No. 30111), Allan A. Fanucci (Reg. No. 30256), Geraldine F. Baldwin (Reg. No. 31232), Victor N. Balancia (Reg. No. 31231), Albert P. Halluin (Reg. No. 25227), and Marcia H. Sundeen (Reg. No. 30893), whose address is Pennie & Edmonds, 1155 Avenue of the Americas, New York, New York 10036. and each of them, my attorneys, to prosecute this application, and to transact all

| SEND CORRESPONDENCE TO: PENNIE & EDMONDS 1155 AVENUE OF THE AMERICAS NEW YORK, N.Y. 10036-2711 | | | | DIRECT TELEPHONE CALLS TO: PENNIE & EDMONDS (212) 790-9090 | |
|--|-------------------------|---------------------------------------|--|--|-------------------|
| 2 0 1 | FULL NAME OF INVENTOR | LAST NAME Ullrich | FIRST NAME Axel | MIDDLE NAME | |
| | RESIDENCE & CITIZENSHIP | CITY Portola Valley | STATE OR FOREIGN COUNTRY California | COUNTRY OF CITIZENSHIP Germany | |
| | POST OFFICE ADDRESS | STREET 70 Palmer Lane | CITY Portola Valley | STATE OR COUNTRY United States | ZIP CODE 94028 |
| 2 0 2 | FULL NAME OF INVENTOR | LAST NAME Gishizky | FIRST NAME Mikhail | MIDDLE NAME | |
| | RESIDENCE & CITIZENSHIP | CITY Palo Alto | STATE OR FOREIGN COUNTRY California | COUNTRY OF CITIZENSHIP United States | |
| | POST OFFICE ADDRESS | STREET 3001 B. Bryant Street | CITY Palo Alto | STATE OR COUNTRY California | ZIP CODE 94301 |
| 2 0 3 | FULL NAME OF INVENTOR | LAST NAME Sures | FIRST NAME Irman - Irmingard | MIDDLE NAME Gard | |
| | RESIDENCE & CITIZENSHIP | CITY Munich | STATE OR FOREIGN COUNTRY Germany | COUNTRY OF CITIZENSHIP Germany | |
| | POST OFFICE ADDRESS | STREET Forstenrieder Allee 55,8000 | CITY Munich | STATE OR COUNTRY Germany | ZIP CODE 71 |
| 2 0 4 | FULL NAME OF INVENTOR | LAST NAME | FIRST NAME | MIDDLE NAME | |
| | RESIDENCE & CITIZENSHIP | CITY | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZENSHIP | |
| | POST OFFICE ADDRESS | STREET | CITY | STATE OR COUNTRY | ZIP CODE |
| 2 0 5 | FULL NAME OF INVENTOR | LAST NAME | FIRST NAME | MIDDLE NAME | |
| | RESIDENCE & CITIZENSHIP | CITY | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZENSHIP | |
| | POST OFFICE ADDRESS | STREET | CITY | STATE OR COUNTRY | ZIP CODE |
| 2 0 6 | FULL NAME OF INVENTOR | LAST NAME | FIRST NAME | MIDDLE NAME | |
| | RESIDENCE & CITIZENSHIP | CITY | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZENSHIP | |
| | POST OFFICE ADDRESS | STREET | CITY | STATE OR COUNTRY | ZIP CODE |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

| | | |
|--|---|--|
| SIGNATURE OF INVENTOR 201  Axel Ullrich | SIGNATURE OF INVENTOR 202  Mikhail Gishizky | SIGNATURE OF INVENTOR 203  Irman Gard Sures |
| DATE 7/20/1994 | DATE 7-1, 1994 | DATE 12-7-1994 |
| SIGNATURE OF INVENTOR 204 | SIGNATURE OF INVENTOR 205 | SIGNATURE OF INVENTOR 206 |
| DATE | DATE | DATE |

ASSIGNMENT

WHEREAS, I, Mikhail Gishizky, ASSIGNOR, residing at 3001 B. Bryant Street, Palo Alto, California 94301, citizen of the United States, am one of the inventors of the invention in NOVEL MEGAKARYOCYTIC PROTEIN TYROSINE KINASES for which inventors have executed an application for a Patent of the United States

☐ which is executed on ☐ even date herewith or ☐ _____ (date)

☒ which is identified by Pennie & Edmonds docket no. 7683-050

☒ which was filed on April 22, 1994, Serial No. 08/232,545

and WHEREAS, Sugen, Inc., ASSIGNEE is desirous of obtaining the entire right, title and interest in, to and under the said invention and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, I, the said ASSIGNOR, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

AND I HEREBY authorize and request the Commissioner of Patents and Trademarks of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND I HEREBY covenant and agree that I have full right to convey the entire interest herein assigned, and that I have not executed, and will not execute, any agreement in conflict herewith.

AND I HEREBY further covenant and agree that I will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

IN TESTIMONY WHEREOF, I hereunto set our hands and seals the day and year set opposite our respective signatures.

Date 7-20, 1994

Mikhail Gishizky

NOTED
RECEIVED OFFICE

L.S.

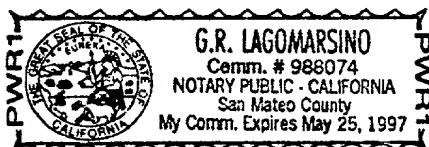
Mikhail Gishizky

AUG - 1 94

State of California

County of San Mateo } SS.:

On 7/20/94, 1994 before me the undersigned, a Notary Public for the State of California, personally appeared Mikhail Gishizky, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.



G.R. Lagomarsino
Signature of Notary

ASSIGNMENT

WHEREAS, WE, Axel Ullrich and Irman Gard Sures, ASSIGNORS, residing at 70 Palmer Lane, Portola Valley, California 94028, citizen of Germany; and Forstenrieder Allee 55, 8000, Munich, Germany 71, citizen of Germany, are two of the inventors of the invention in NOVEL MEGAKARYOCYTIC PROTEIN TYROSINE KINASES for which we have executed an application for a Patent of the United States

☐ which is executed on ☐ even date herewith or ☐ _____ (date)

☒ which is identified by Pennie & Edmonds docket no. 7683-050

☒ which was filed on April 22, 1994, Serial No. 08/232,545

and WHEREAS, Max-Planck-Gesellschaft zur Förderung der Wissenschaften e.V., ASSIGNEE is desirous of obtaining the entire right, title and interest in, to and under the said invention and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said ASSIGNORS, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

AND WE HEREBY authorize and request the Commissioner of Patents and Trademarks of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we have full right to convey the entire interest herein assigned, and that we have not executed, and will not execute, any agreement in conflict herewith.

AND WE HEREBY further covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

IN TESTIMONY WHEREOF, We hereunto set our hands and seals the day and year set opposite our respective signatures.

Date 7/20/, 1994 Signed: Axel Ullrich

Axel Ullrich

City of _____)

Country of _____)

SS.:

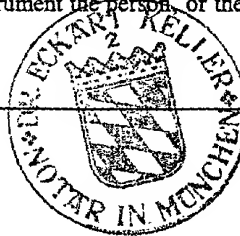
On this _____ day of _____, 1994, before me, a Notary Public in and for the City and Country aforesaid, personally appeared Axel Ullrich, to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.

Notary Public.

Date 13th July, 1994 Signed: Irmingard Sures
Irmingard Sures

Germany
State of California }
County of Munich } SS.:

On 13th July, 1994 before me the undersigned, a Notary Public for the State of California, personally appeared Irmingard Sures, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.



[Signature]
Signature of Notary

URNr. 158 A/1994

Ich beglaube die Echtheit der vorstehenden,
von mir anerkannten Unterschrift von

Frau Dr. Irmingard S u r e s ,
geb. 03.02.1945, Biochemikerin,
in 81476 München, Fürstenrieder Str. 55,

ausgewiesen durch ihren deutschen Reisepass.

München, den 13. Juli 1994

[Signature]
Notar

File No. 158 A/1994

I hereby certify that the above is the true signature
acknowledged in my presence, of

Mrs. Dr. Irmingard S u r e s ,
born 03.02.1945, Biochemikerin,
of 81476 Munich, Fürstenrieder Str. 55,

identified by her german passport.

Munich, 13. July 1994



[Signature]
Notary

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